REMARKS/ARGUMENTS

Prior to entry of the amendments specified above, claims 10-39 were pending in the application, claims 1-9 having been previously canceled without prejudice. Following entry of this amendment, including the cancellation without prejudice of claims 10 and 24, claims 11-23 and 25-39 are pending in the application, of which claims 11-13, 16-17, 25-30, 36 and 38 are amended as specified above.

I. Rejection Under 35 U.S.C. Sec. 112, Para. 2

Claim 36 stands rejected as lacking antecedent basis. Now amended to depend from claim 35, claim 36 now is submitted find adequate antecedent basis. Applicants respectfully request that this rejection therefore be withdrawn. As explained below, this burden has not been met with respect to any of the claims, as currently amended for purposes of expediting their prosecution.

II. Rejections Under 35 U.S.C. Sec. 102(b)

All claims stand rejected under 35 U.S.C. Sec. 102(b) over U.S. Patent No. 5,470,218 to Hillman. A rejection of a claim as anticipated requires that the applied reference show identically each element of the invention as claimed.

III. Claims 11-17

Claim 11, as presently amended, recites, among other limitations, that the controller acquire at least one process variable and that it transmit the *actual* values of process variables to

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a computer for monitoring the control. Claim 11 also recites that the transmitted *actual* values be evaluated by the computer, that at least one setpoint value be determined and that the at least one setpoint value be transmitted to the control.

The rejection relies Hillman at column 5, lines 45-57 as showing the step of transmitting the *actual* values of process variables acquired by the controller to the a computer for monitoring the control. The cited text, however, does not disclose this limitation. The text does not refer to, or suggest, *actual* values of the parameters, and does not disclose that they be monitored. Rather, any values that are received, which are not disclosed as *actual* parameter values, are merely written to a disk drive. More importantly, however, Hillman does not disclose the determination at the computer of at least one setpoint value. Precisely to the contrary, any setpoint determination in Hillman is entered, if at all, by a user.

For these reasons, claim 11 and claims 12-17 which depend from it are submitted to recite patentable subject matter and should be allowed.

II. Claims 18-23

Claim 18 recites, among other limitations, that a computer, which is in communication with a control for an injection-molding machine, monitors values from the injection-molding process received from the control *virtually in parallel* with receiving at least one input from the operator.

The rejection relies on column 21, lines 8-24 and 51-61 of Hillman as identically disclosing this limitation. The recited passages, however, merely state that certain processors

can display data and receive operator inputs. The passages are absolutely silent as to timing; they disclose nothing about parallelism. Indeed, the word "parallel" does not appear once in Hillman, nor are other synonymous usages disclosed in that document.

The rejection has failed to meet its burden of identically disclosing every limitation of the claim. Claim 18, and claims 19-23 which depend from it, are therefore respectfully submitted to distinguish over the art of record.

III.   Claims 25-30

Claim 25, as amended, recites that (i) a first computer program for executing a software process for controlling the injection molding process and (ii) a second computer program for executing a monitoring procedure based on the transmitted values associated with the injection molding process, are executed in parallel.

These limitations are said to be shown by Hillman, including the parallelism limitation supposedly to be found at column 18, lines 31-44. However, the cited passage does not disclose or suggest such parallelism (which as discussed above is a concept that is altogether absent from the document). There is simply no reference to this concept, nor any basis for inferring it. All that is referred to is the display of data.

Moreover, as described in the application at paragraph [0010], monitoring relates to the valuation of transmitted actual values associated with the injection-molding process in order to prescribe a control, such as the determination and transmission to the control of a set point. The

-12-

passage relied upon in rejecting claim 25 does not disclose this, much less doing so in parallel, a well-known term of art in the field of computer science.

For these reasons, claim 25 and claims 26-30 which depend from it, are respectfully submitted to recite patentable subject matter and should be allowed.

IV.   Claims 31-37

Claim 31 is directed to a method of monitoring an injection-molding process operating under a control and involving steps of executing a monitoring procedure based on receiving data from a plurality of sensors in communication with the control, and receiving at the control virtually in parallel to executing the monitoring procedure at least one input from the operator.

These limitations, and in particular the second of these method steps, are said to be identically disclosed by Hillman at column 21, lines 8-24, the passage relied on in rejecting claim 18 and its dependencies. As in that rejection, the passage simply fails to disclose, or even suggest, the claimed subject matter. As discussed above, the recited passages merely state that certain processors can display data and receive operator inputs. The passages are absolutely silent as to timing; they disclose nothing about parallelism. Indeed, the word "parallel" does not appear once in Hillman, nor are other synonymous usages disclosed in that document. At most, Hillman suggests that a monitor can accept operator inputs and that a controller can receive instructions from a processor. The disclosure, though, is altogether silent as to whether the receipt of an operator input *at the control* is *virtually* in parallel with the executing of the monitoring procedure.

Serial No.: 10/804,885, filed March 18, 2004
Docket No. 1140668-0061
Page 14 of 14

For these reasons, the subject matter of claim 31 and claims 32-37 which depend from it,

are respectfully submitted not to be identically disclosed or even suggested by the art of record.

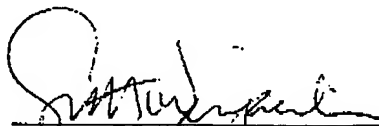The rejections of these claims should therefore be withdrawn.

V.   Claims 38 -39

Claim 38, as presently amended, recites limitations similar to those recited in claim 11,

though in this claim they are recited in connection with a system rather than a method. For the

reasons set forth above in connection with claim 11, claim 38 and claim 39 which depends from

it, are respectfully submitted to recite allowable subject matter.

CONCLUSION

Upon entry of this Amendment, claims 11-23 and 25-39, are pending in the Application.

Applicants submit that the pending claims, for the reasons set forth above, are now in condition

for allowance. Reconsideration and allowance are therefore respectfully requested. If a fee is

required, the Assistant Commissioner is authorized to charge the fee to Deposit Account No. 23-

1703.

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Respectfully submitted,

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